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July 21, 1999

CONGRESSIONAL RECORD — SENATE

S8949

the desegregation of Los Angeles school, and, in 1975, became the first elected African American to serve on the Board of Education of the Los Angeles Unified School District.

Prior to her elected office, Senator Watson led a distinguished career in the field of education, including service as an assistant superintendent of child welfare, a school psychologist, and as a member of the faculty at both California State University Los Angeles and Long Beach. She has also traveled extensively, participating in numerous international conference on women's health issues, democracy building, and trade.

As a member of the State Senate and as an educator, Diana Watson has always brought honor to the organizations and people she has represented. For many years now she has been a leader in improving the lives of Californians, and I am pleased that the people of the United States will now also be able to benefit from her experience, energy, and talents as our Ambassador to the Federated States of Micronesia.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, July 20, 1999, the Federal debt stood at \$5,630,644,963,071.99 (Five trillion, six hundred thirty billion, six hundred forty-four million, nine hundred sixty-three thousand, seventy-one dollars and ninety-nine cents).

One year ago, July 20, 1998, the Federal debt stood at \$5,532,950,000,000 (Five trillion, five hundred thirty-two billion, nine hundred fifty million).

Five years ago, July 20, 1994, the Federal debt stood at \$4,626,395,000,000 (Four trillion, six hundred twenty-six billion, three hundred ninety-five million).

Ten years ago, July 20, 1989, the Federal debt stood at \$2,803,321,000,000 (Two trillion, eight hundred three billion, three hundred twenty-one million).

Fifteen years ago, July 20, 1984, the Federal debt stood at \$1,534,688,000,000 (One trillion, five hundred thirty-four billion, six hundred eighty-eight million) which reflects a debt increase of more than \$4 trillion—\$4,095,956,963,071.99 (Four trillion, ninety-five billion, nine hundred fifty-six million, nine hundred sixty-three thousand, seventy-one dollars and ninety-nine cents) during the past 15 years.

HIGH TECH AWARD FOR SENATOR ABRAHAM

Mr. MCCAIN. Mr. President, I rise to inform my colleagues of a significant honor recently bestowed upon our colleague, the Senator from Michigan, Mr. ABRAHAM.

On June 16, Senator ABRAHAM became the first United States Senator to receive the "Cyber Champion" award, from the Business Software Alliance. He was recognized for his legislative accomplishments in support of

America's high-technology economy. I would like to congratulate Senator ABRAHAM on receiving this well-deserved honor.

Senator ABRAHAM has been a champion of high-tech since coming to the Senate. He has worked hard on a high-tech agenda to keep Americans employed in good jobs at good wages, and to help our nation keep the edge we have in the global marketplace. It has been my pleasure to work with him on many of these issues.

Whether fighting to expand and rationalize the use of electronic signatures, expanding high-tech visas, increasing charitable giving to our schools so that we can train our kids in the uses of high-technology, keeping the Internet free from unnecessary interference and taxation, or seeing to it that we are prepared for the year 2000, Senator ABRAHAM has been a leader on high-tech issues.

Now Senator ABRAHAM is working to protect property rights on the Internet through his anti-cybersquatting legislation. His bill would empower trademark owners to protect their marks, at the same time protecting consumers from potential fraud.

There is no doubt in my mind that Senator ABRAHAM's efforts will help workers and the economy in Michigan and across the United States. Once again, I congratulate him on this honor, and on the accomplishments that have earned it for him.

PROTECT ACT

Mr. FEINGOLD. Mr. President, I rise today to discuss an issue of increasing national and international importance.

Mr. President, encryption may not yet be the most common term in the American lexicon, but it may well affect every American as we progress in this Information Age. Encryption systems provide security to conventional and cellular telephone conversation, fax transmissions, local and wide area networks, personal computers, remote key entry systems, and radio frequency communication systems. As we become more reliant on these technologies, encryption becomes a more important application.

For these and other reasons, I come to the floor today to discuss my decision to cosponsor S. 798, the Promote Reliable Online Transactions to Encourage Commerce and Trade, or PROTECT Act. This bill pushes us toward a thoughtful debate on encryption policy.

I appreciate the efforts of the Chairman of the Commerce Committee, Senator MCCAIN, to push this important legislation forward. As the chairman knows all too well, balancing competing interests, regardless of issue, is a difficult, and often thankless, job. In this case, we must find an equitable balance between personal privacy, technological innovation and public safety.

The rapidly expanding global marketplace and our increasing reliance on

new technology has resulted in the almost instantaneous transfer of consumer information. Bank information, medical records, and credit card purchases are transferred at lightning speed. But these transactions, and even browsing on the Internet, can leave consumers vulnerable to unwanted and illegal access to private information. Encryption technology offers an effective way consumers can ensure that only the people they choose can read other communications or their e-mail, review their medical records, or take money out of their bank accounts. Plain and simple, encryption products protect consumers.

Over the past couple of years, we have seen the power of Internet commerce. From amazon.com to eBay to drugstore.com, companies with a dot com have become the darlings of the investment world. For consumers, online commerce provides viable competition and, thus, a cost-effective alternative to traditional brick-and-mortar stores.

The Internet, however, will never achieve its full potential as a center of commerce if consumers do not trust that their transactions and communications remain confidential. If we ever are to realize the commercial and communications potential of the Internet, we must have sophisticated and effective encryption.

For these precise reasons, consumers have an economic interest in the use of strong encryption technology. That economic interest necessitates more research and more development of stronger technology. The current export control climate, however, stifles development of domestic encryption technology. I believe that expansion of the market for U.S. developers will serve to quicken the pace of innovation.

Two recent reports bear this out. The Electronic Privacy Information Center found that the United States is virtually alone in its restrictions on encryption. Another report by researchers at George Washington University found that 35 foreign countries manufacture 80% encryption products. The same GWU report found that of the 15 algorithms now being considered by the National Institute of Standards for a new American encryption standard, 10 have been developed outside the U.S. Clearly, our outdated policies are doing more to exclude U.S. manufacturers from the marketplace than they are doing to keep encryption technology out of the hands of criminals.

I do not mean to belittle the serious law enforcement implications of encryption. As the FBI has stated, "encryption has been used to conceal criminal activity and thwart law enforcement efforts to collect critical evidence needed to solve serious and often violent criminal activities." The same technology that prevents a computer hacker from stealing one's credit card number can prevent a law enforcement officer, even one with a properly

obtained court order, from decrypting illegal information.

But the fact of the matter is that criminals simply can purchase and use an advanced encryption product produced in a foreign country. I understand concerns that some in the law enforcement community may have. Muzzling American development and export, however, is a doomed strategy. I believe there should be criminal penalties for those that use encryption in the furtherance of a crime and I hope the Senate will adopt penalties similar to those found in the leading House encryption bill.

Mr. President, there is no question that this bill moves us forward, both in terms of privacy and technological innovation. I must point out, however, that my support for this bill will not preclude me from advocating a stronger privacy position in the future. My cosponsorship of this bill establishes what I believe should be the starting point for the Congress to begin the encryption debate. I look forward to working with my colleagues on this very important issue.

I yield the floor.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

REPORT OF THE NOTICE OF THE CONTINUATION OF THE IRAQI EMERGENCY—MESSAGE FROM THE PRESIDENT—PM 50

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs.

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision I have sent the enclosed notice, stating that the Iraqi emergency is to continue in effect beyond August 2, 1999, to the *Federal Register* for publication.

The crisis between the United States and Iraq that led to the declaration on

August 2, 1990, of a national emergency has not been resolved. The Government of Iraq continues to engage in activities inimical to stability in the Middle East and hostile to United States interests in the region. Such Iraqi actions pose a continuing unusual and extraordinary threat to the national security and vital foreign policy interests of the United States. For these reasons, I have determined that it is necessary to maintain in force the broad authorities necessary to apply economic pressure on the Government of Iraq.

WILLIAM J. CLINTON.
THE WHITE HOUSE, July 20, 1999.

MESSAGES FROM THE HOUSE

At 10:42 a.m., a message from the House of Representatives, delivered by Ms. Kelleher, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 31. An act to require the Secretary of the Treasury to mint coins in conjunction with the minting of coins by the Republic of Iceland in commemoration of the discovery of the New World by Leif Ericson.

H.R. 32. An act for the relief of Suchada Kwong.

H.R. 660. An act for the private relief of Ruth Hairston by waiver of filing deadline for appeal from a ruling relating to her application for a survivor annuity.

H.R. 1033. An act to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the Lewis and Clark Expedition, and for other purposes.

H.R. 1477. An act to withhold voluntary proportional assistance for programs and projects of the International Atomic Energy Agency relating to the development and completion of the Bushehr nuclear power plant in Iran, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H.Con.Res. 121. Concurrent resolution designating the Document Day of the United States as the cold war and the fall of the Berlin Wall.

H.Con.Res. 158. Concurrent resolution designating the Document Day of the United States Capitol as the "Memorial Door."

The message further announced that the House has passed the following bills, without amendment:

S. 361. An act to direct the Secretary of the Interior to transfer to John R. and Margaret J. Lowe of Big Horn County, Wyoming, certain land so as to correct an error in the patent issued to their predecessors in interest.

S. 449. An act to direct the Secretary of the Interior to transfer to the heirs of the representative of the estate of Fred Steffens of Big Horn County, Wyoming, certain land comprising the Steffens family property.

MEASURES REFERRED

The following bills were read the first and second times by unanimous consent and referred as indicated:

H.R. 31. An act to require the Secretary of the Treasury to mint coins in conjunction with the minting of coins by the Republic of Iceland in commemoration of the millen-

nium of the discovery of the new World by Leif Ericson; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 322. An act for the relief of Suchada Kwong; to the Committee on the Judiciary.

H.R. 660. An act for the private relief of Ruth Hairston by waiver of a filing deadline for appeal from a ruling relating to her application for a survivor annuity; to the Committee on Governmental Affairs.

H.R. 1033. An act to require the Secretary of the Treasury to mint coins in commemoration of the bicentennial of the Lewis and Clark Expedition, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

H.R. 1477. An act to withhold voluntary proportional assistance for programs and projects of the International Atomic Energy Agency relating to the development and completion of the Bushehr nuclear power plant in Iran, and for other purposes; to the Committee on Foreign Relations.

The following concurrent resolution was read and referred as indicated:

H.Con.Res. 121. Concurrent resolution expressing the sense of the Congress regarding the victory of the United States in the cold war and the fall of the Berlin Wall; to the Committee on the Judiciary.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-4265. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, South Coast Air Quality Management District and Yolo-Solano Air Quality Management District" (FRL # 6376-3), received July 15, 1999; to the Committee on Environment and Public Works.

EC-4266. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plans; Michigan" (FRL # 6337-3), received July 15, 1999; to the Committee on Environment and Public Works.

EC-4267. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Technical Correction of Partial Withdrawal of Direct Final Rule Protection of Strategic Options; Reconsideration of Petition Criteria and Incorporation of Montreal Protocol Decisions" (FRL # 6400-9), received July 15, 1999; to the Committee on Environment and Public Works.

EC-4268. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision; Kern County Air Pollution Control District; Mojave Desert Air Quality Management District; Ventura County Air Pollution Control

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